

REMARKS

Applicant respectfully requests consideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 22-36 and 55-69 were canceled previously. Claims 1-21, 37-54, and 70-77 are pending in this application.

Claim Rejections Under 35 U.S.C. § 102(b)

On page 2 of the Office Action, Claims 1-77 were rejected under 35 U.S.C. § 102(b) as being anticipated by a paper title *Bridging Physical and Virtual Worlds with Electronic Tags* by Want *et al.* (Want). Claims 22-36 and 55-69 were cancelled in the response mailed April 21, 2008, rendering their rejection moot. Applicant respectfully traverses the rejection of pending Claims 1-21, 37-54, and 70-71 because Want fails to teach, suggest, or disclose all of the elements of at least independent Claims 1, 37, 70, and 71.

Independent Claim 1 recites:

receiving specification of a virtual entity;
electronically receiving specification of a physical entity form factor;
providing a physical entity having said form factor, wherein said physical entity is employable in accessing said virtual entity.

Independent Claims 37, 70, and 71 recite a similar feature.

On page 2 of the Office Action, the Examiner states:

The Applicant argues one point regarding the rejection independent claim 1. The Applicant argues that Want fails to disclose the physical form factor being absent. Want describes the physical form factor see Page 374 “User ID”. Where the tags are being added to ID cards, rings, watches, jewelry, etc.

Applicant respectfully submits, however, that the Examiner is inaccurately characterizing and/or misunderstands Applicants arguments. First, Applicant is not arguing that Want fails to disclose a physical form factor. To the contrary, Applicant respectfully submits that Want fails to teach, suggest, or describe “electronically receiving specification of

a physical entity form factor" as recited in at least Claims 1, 37, 70, and 71, with emphasis added through underlining. Second, Applicant further respectfully submits that Want fails to teach, suggest, or describe "electronically receiving specification of one or more physical entity cosmetic attributes" as recited in at least Claims 72, 74, 75, and 77, with emphasis added through underlining. Third, Applicant still further respectfully submits that Want fails to teach, suggest, or describe elements as recited in at least Claims 19-21, 54, 70, 73, and 76.

Claims 1, 37, 70, and 71

As stated in the response mailed April 21, 2008, "Want discloses ...; receiving specifications of physical entity form factor see Page 373-374 "Augmenting Books and Documents" & Page 374 "User ID." Relative to "Augmenting Books and Documents," Want states:

By augmenting a physical document or book with an RFID tag, we introduce a virtual linkage between that physical document and an equivalent or related electronic document(s). For example, consider a book consisting of a collection of printed pages, such as a technical manual, a patent application, or a conference submission such as this paper. (It is most natural to associate tags with the document as a whole rather than the individual pages of these documents. This more accurately reflects our cognitive model of that object)

(pg. 373). Relative to "User ID," Want states:

Tags can be imperceptibly added to existing physical artifacts used for user identification, such as ID cards, signet rings, watches, jewelry, or even keys. When such an artifact moves close to the computer, the user specified by the tag has their profile and preferences applied to the current context.

(pg. 374). Thus, Want describes a physical entity. However, Want fails to teach, suggest, or describe "electronically receiving specification of a physical entity form factor" as recited in Claims 1, 37, 70, and 71.

As a result, Want fails to teach, suggest, or describe all of the elements of at least independent Claims 1, 37, 70, and 71. An anticipation rejection cannot properly be maintained where the reference used in the rejection does not disclose all of the recited claim

elements. The remaining claims depend from one of Claims 1, 37, 70, and 71. Therefore, Applicants respectfully request withdrawal of the rejection of Claims 1-21, 37-54, and 70-71 and allowance of Claims 72-77.

Claims 72, 74, 75, and 77

On page 2 of the Office Action, the Examiner further states that “Want discloses ...; receiving specifications of one or more physical entity cosmetic attributes see Page 375 “Augmenting Non-Document Objects: The Photo Cube.” Relative to “Augmenting Non-Document Objects: The Photo Cube,” Want states:

Virtual links may be associated with any physical container or object and may reference various media, not just textual information, For example, consider a "photo cube" (Figure 9). In this document container, a set of 6 related documents (photographs) are bound together within the same physical object. Each face or side of the cube has its own associated information set. augmented by a unique ill tag. This is one example of a 3D-augmented object.

To implement this prototype, we took a small balsa wood cubeoid (5cm by 7.5cm by 7.5cm), and drilled holes in each face such that each face could accommodate a disk-sized tag (see Figure 1). Each face was then covered with a photograph - one photo of each author of this paper. Each of these graphics had a corresponding Web site link. The virtual association for each face, then, was to the Web home page for the person or organization shown on that face. For example, in Figure 10, a photo of a team member is being touched to the computer. In Figure 11, as a result of this action, the computer is displaying that person's home page. The photo-cube illustrates one mechanism associating particular affordances of a specific physical object with a set of virtual documents.

(pg. 375). Thus, Want describes physically decorating a physical entity. However, Want fails to teach, suggest, or describe “electronically receiving specification of one or more physical entity cosmetic attributes” as recited in Claims 72, 74, 75, and 77.

As a result, Want further fails to teach, suggest, or describe all of the elements of at least Claims 72, 74, 75, and 77. An anticipation rejection cannot properly be maintained where the reference used in the rejection does not disclose all of the recited claim elements.

Therefore, Applicants respectfully further request withdrawal of the rejection of Claims 72, 74, 75, and 77 for this additional reason.

Claim 19 and 54

Applicant respectfully submits that Want fails to teach, suggest, or describe anything whatsoever related to “access restrictions are imposed for said virtual entity” as recited in Claims 19 and 54. As a result, Want further fails to teach, suggest, or describe all of the elements of Claims 19 and 54. An anticipation rejection cannot properly be maintained where the reference used in the rejection does not disclose all of the recited claim elements. Therefore, Applicants respectfully further request withdrawal of the rejection of Claims 19 and 54 for this additional reason.

Claims 20 and 21

Applicant respectfully submits that Want fails to teach, suggest, or describe anything whatsoever related to “receiving payment for said physical entity” as recited in Claim 20 and to “a correlation between payment amount and access restrictions imposed for said virtual entity” as recited in Claim 21. As a result, Want further fails to teach, suggest, or describe all of the elements of Claims 20 and 21. An anticipation rejection cannot properly be maintained where the reference used in the rejection does not disclose all of the recited claim elements. Therefore, Applicants respectfully further request withdrawal of the rejection of Claims 20 and 21 for these additional reasons.

Claim 70

Applicant respectfully submits that Want fails to teach, suggest, or describe anything whatsoever related to “physical entity provisioning hardware” as recited in Claim 70. As a result, Want further fails to teach, suggest, or describe all of the elements of Claim 70. An anticipation rejection cannot properly be maintained where the reference used in the rejection does not disclose all of the recited claim elements. Therefore, Applicants respectfully further request withdrawal of the rejection of Claims 70, 71, and 75-77 for this additional reason.

Claims 73 and 76

Applicant respectfully submits that Want fails to teach, suggest, or describe anything whatsoever related to "a computer vending machine" as recited in Claim 73 and "a computerized vending machine" as recited in Claim 76. As a result, Want further fails to teach, suggest, or describe all of the elements of Claims 73 and 76. An anticipation rejection cannot properly be maintained where the reference used in the rejection does not disclose all of the recited claim elements. Therefore, Applicants respectfully further request withdrawal of the rejection of Claims 73 and 76 for this additional reason.

Applicant believes that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

By 

Date July 18, 2008

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